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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/035,914	11/07/2001	David E. Weinstein	96700/677	2216

7590 03/30/2006

Convergent Technology Patent Law Group
Whiteman Osterman and Hanna LLP
One Commerce Plaza
Albany, NY 12260

EXAMINER

JOHANNSEN, DIANA B

ART UNIT	PAPER NUMBER
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1634

DATE MAILED: 03/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Examiner-Initiated Interview Summary	Application No. 10/035,914	Applicant(s) WEINSTEIN, DAVID E.	
	Examiner Diana B. Johannsen	Art Unit 1634	

All Participants:

Status of Application: abandoned

(1) Diana Johannsen.

(3) _____.

(2) Sander Rabin.

(4) _____.

Date of Interview: 27 March 2006

Time: _____

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No
 If Yes, provide a brief description:

Part I.

Rejection(s) discussed:
 N/A

Claims discussed:
 N/A

Prior art documents discussed:

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:
 See Continuation Sheet

Part III.

- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.


 DIANA JOHANNSEN
 PRIMARY EXAMINER

3/27/06

N/A

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Applicant's representative (who recently took over prosecution of the application) contacted the examiner on 23 March 2006 to inquire regarding correction of the informalities raised in the Notice mailed 12 January 2005. On 27 March 2006, the examiner contacted applicant's representative and indicated that the claim set of 11 August 2004 was non-compliant due to the failure to refer to canceled claims 1-30, and noted that applicant's response should include a compliant claim set meeting the requirements discussed in MPEP 714. The examiner again noted the absence of the papers mailed 12 January 2005 from the electronic file (see the Interview Summary of 31 October 2005), and also referred applicant's representative to the Petitions help desk (571/272-3282) with regard to any further questions regarding the procedure for reviving the application. A copy of the Interview Summary of 31 October 2005 is included herewith.



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10/035,914	11/07/2001	David E. Weinstein	96700/677	2216

7590 10/31/2005

GLIMED, INC
ATTENTION: DR. DAVID E. WEINSTEIN
3960 BROADWAY
3RD FLOOR
NEW YORK, NY 10032

EXAMINER

JOHANNSEN, DIANA B

ART UNIT	PAPER NUMBER
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1634

DATE MAILED: 10/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

copy
nms
3/27/06

Examiner-Initiated Interview Summary	Application No. 10/035,914	Applicant(s) WEINSTEIN, DAVID E.	
	Examiner Diana B. Johannsen	Art Unit 1634	

All Participants:

(1) Diana Johannsen.

(2) David Weinstein.

Date of Interview: 27 October 2005

Type of Interview:

☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No
 If Yes, provide a brief description:

Status of Application: abandoned

(3) _____

(4) _____

Time: N/A (telephonic)

Part I.

Rejection(s) discussed:
N/A

Claims discussed:
N/A

Prior art documents discussed:
N/A

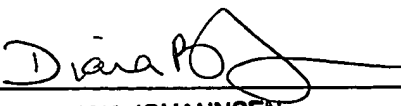
Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:
See Continuation Sheet

Part III.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.


DIANA JOHANNSEN
PRIMARY EXAMINER

10/27/05
N/A

 (Applicant/Applicant's Representative Signature – if appropriate)

(Examiner/SPE Signature)

Continuation of Substance of Interview including description of the general nature of what was discussed: The status of the application was briefly discussed. Applicant indicated that it had not been his intention to abandon the application. The examiner noted that applicant's former representative (whose Request to Withdraw filed in March 2005 was granted in August 2005) did not respond to a Notice of Non-compliant amendment mailed January 12, 2005; however, the examiner also noted that while the Office's records indicate that this Notice was mailed with a Notice of Rescinded Abandonment on 1/12/2005, copies of both of these papers are missing from the Office's electronic file, indicating the possibility of an error on the part of the Office. The examiner suggested calling this to the attention of applicant's new attorney, who is not yet of record in the case. The examiner noted that applicant may petition to revive the application, and indicated that she would be happy to discuss the case with applicant's new attorney once he is of record in the case.